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Developed for personnel who have responsibility in the issuance of employment and age certificates, this document contains sections on: (1) The Young Worker, His Job, and the Law, (2) Good Practices, (3) The Larger View, and (4) Certificates and Federal Law. Guidelines are provided for a coordinator or principal, the director of attendance, the school superintendent, and the labor department official. A supplementary section contains a guide for issuing employment and age certificates under the Child Labor Provisions of the Fair Labor Standards Act. A related document announced as VT 007 784 contains provisions of the Fair Labor Standards Act, as amended. (DM)

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Bulletin 183
Revised 1964

Employment Certificates— help You help Youth

The Issuing Officer—the Link Between School and Job.

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U. S. DEPARTMENT OF LABOR
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Foreword

THE BUREAU OF LABOR STANDARDS is grateful to all who have contributed to the development of this publication.

We are especially indebted to the local issuing officers, the commissioners of labor and their staffs, State and Federal education officials and others who so carefully reviewed the manuscript and whose helpful suggestions will increase the usefulness of this bulletin.

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Employment Certificates—
Help You Help Youth

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Introduction

MORE than 5 million 14–17 year-olds work some time during the course of a year. The thousands of dedicated people, the country over, who issue the employment certificates that safeguard many of these young workers deserve the gratitude of us all. This bulletin brings together good ideas from many certificate-issuing offices in the hope that all such offices will be encouraged to take stock of the services they are giving and, perhaps, to extend them. Thus we help our boys and girls make a sound start as they begin to make their contributions to our productive economy.

The certificate systems in the States grew up through the years beginning 'way back in the last century as citizens came to realize that some method of enforcing the "schooling" and child-labor laws, beyond factory inspections, was needed to prevent boys and girls from becoming involved in violations of the laws. Counseling programs and certificate systems have often developed along parallel lines which do not meet. Both programs gain when there is collaboration. The certificate system can be a valuable supplement to the counseling program. Where there are few or no counseling facilities, certificate issuance enables the school superintendent or principal to have current understanding of the employment needs, opportunities and problems of young people and to give them advice when they need it. Issuance of employment certificates should never be regarded as a clerical task.

Employment certificates are first of all an expression of the community's interest in protecting its young people from jobs that would interfere with their schooling or be detrimental to their health and welfare. Protections deemed necessary by the citizens of the community are spelled out in its school attendance laws and in State and Federal child-labor laws. The primary responsibility of the issuing officer is to issue the employment certificate that assures the minor in question the protections established in these laws and protects employers against unwitting violations.

But, in addition to insuring the legality of employment, the certificating process affords an opportunity to all issuing-office personnel to serve their young clients, employers, and the community in many other ways. The interest shown in these boys and girls, a sensitivity to their problems, a readiness to help, or to refer them to help, will expand the areas of usefulness of your office. Your services to employers and your cooperation with other agencies help them all.

This bulletin has four sections. *The Young Worker, His Job, and the Law* discusses the relation between certificates and the enforcement of school attendance and child-labor laws. *Good Practices* explains procedures generally found to be effective in making certificates serve their intended purpose. *The Larger View* describes the kinds of services given applicants in some issuing offices which should be available to all young people who need them. *Certificates and Federal Law* is designed to be a guide in the issuance of certificates for employment where Federal laws apply.

No two State systems of certificate issuance are exactly alike. Even communities in the same State may differ in the way they do the job and the facilities they have for doing it. Certain procedures are established by law in some States. Issuing officers might consult their State laws and then determine how much of the program outlined in this bulletin is compatible with the requirements of the law and feasible in the light of their local situations. It may take official action to put some of the ideas into practice. On the other hand, everyone on the staff contributes to the service rendered by the office when he meets the young applicant in a spirit of interest and helpfulness, and knows what assistance the community can offer young people who are confused, in trouble, or in need of special services.

This bulletin is addressed to all, in small offices or large ones, who have any part in the issuance of employment and age certificates. The clerk who gives out the forms or keeps the files, the receptionist who greets the applicants, the staff worker who examines the documents and passes on the applications, the doctor who gives the physical examination, the principal who issues only a few certificates a month, the director of attendance who supervises the issuance of thousands, the school superintendent or labor department official who has general responsibility—all can help to make the issuing office a center which radiates concern for young workers throughout the community.

Part I

The Young Worker, His Job, and the Law

EVERY State has some child-labor regulations that prohibit unsuitable employment for its boys and girls. Minimum age and hours and nightwork regulations are designed to protect the child's health and schooling. Though their provisions differ, their purpose is to prevent his working under undesirable conditions, or at jobs involving excessive physical strain or accident hazards. Each State also has school attendance laws that protect the child's educational opportunities. School attendance and child-labor laws should complement each other, so that boys and girls are not allowed to leave school before they are old enough to work. The employment certificate is the tool used to prevent harmful employment and to aid in the enforcement of the child-labor and school attendance laws.

To reinforce State standards and afford equal protections to minors wherever the Federal Government has jurisdiction, Congress has written certain child-labor provisions into the Fair Labor Standards Act and into the Walsh-Healey Public Contracts Act. Employment and age certificates issued under State laws are accepted as proof of age under the Fair Labor Standards Act, in accordance with cooperative agreements developed with the States by the Department of Labor's Bureau of Labor Standards, and by Administrative Regulation, under the Walsh-Healey Public Contracts Act also. Both these Federal laws are enforced by the Wage and Hour and Public Contracts Divisions of the U. S. Department of Labor.

Issuing officers should have copies of the school attendance laws, child-labor laws, and pertinent municipal ordinances to help in deciding on legality of employment. Most States issue guides or a manual explaining the jobs for which certificates may be issued for employment of minors of different ages, and the procedures to be followed, under the State law. Keeping and consulting a file of interpretations of the laws will help insure consistent decisions. To provide full protection both for young people and for employers, it is important to consider the child-labor provisions of the Fair Labor Standards Act in issuing certificates. Often the instructions issued by the States include some guidance on these provisions. If your State law or municipality sets higher standards,

this Act provides that the higher standards must be observed. The chart at the back of this bulletin is designed to provide you with a guide, by age groups, on the occupations permissible under the child-labor provisions of the Fair Labor Standards Act.

The issuing officer must decide whether the documents the applicant presents indicate that he can legally work on the job for which he seeks a certificate. The proof of age, the school record, the intention to employ, and the physician's certificate are not merely forms. They are society's way of making sure that its young people are afforded certain rights and protections before they go out to make their way in the world.

Proof of Age

The issuing officer must first determine the applicant's age. An unaltered birth certificate is the best proof of age, although State laws usually name the alternate proofs of age which may be accepted if a birth record is not available. Close scrutiny is needed sometimes to be sure that a birth certificate has not been altered because a youngster is over-eager to work. Sometimes certificates based on delayed birth registrations have to be checked against other evidence. The delayed registration may have been filed with an erroneous birth date in order to make it appear that the child is old enough for employment. You have a trained eye and can evaluate the proof of age that is offered. This is one reason the minor is required to present his proof of age to you rather than to his employer.

School Record

The school record is evidence to the issuing officer that the applicant has met the school attendance requirements set in the law. When the boy or girl has this form filled out by his counselor or principal, it gives an opportunity to review with the student his school progress to date and to consider his proposed job in the light of his aptitudes and ambitions for his future. This form alerts the school to the fact that the student intends to work. Where the issuing officer is charged with revoking the certificate if the student's schoolwork suffers, the school record initiates communication between the classroom and the issuing office.

Intention To Employ

The intention to employ shows that the applicant really has a job. It should tell just what his job is, the hours and number of days per week he will work—all in such detail that you can determine whether the job is legal for him. The proposed hours will indicate whether the job requires release from school or is to be done outside school time. Occupations described in vague terms, such as "learner" or "helper" can be clarified by calling the employer.

Her Certificate Shows It's Legal

If the job has features that would make the employment illegal, a call to the employer may result in changes in the job assignment, or the hours, or other conditions so that the work will be permissible. This is a real service to both the applicant and to the employer.

The information on the intention to employ also helps the applicant understand what his job and conditions of work will be.

In places where one certificate is issued to cover employment with several employers, as for example, for seasonal farmwork, the use of an intention to employ has not seemed feasible.

Physician's Certificate

The physician's certificate of physical fitness is designed to make sure that the boy or girl is physically able to do the job without injury to himself or to others. The physical examination should be done at no cost to the child, preferably by a school or public health physician. Eyes, ears, throat, teeth, heart, chest, all are given a final check. The child's school health record should be made available to the examining physician whenever possible, for it is likely to contain valuable information. It may be necessary to issue a limited certificate to a youngster with a heart condition so that he is restricted to such light work as he can do without harm. A supplementary check with the family physician or a clinic where the child is known may reinforce your opinion about the safety of em-

The Doctor Makes Sure.

ployment on a particular job. Sometimes a temporary certificate may be issued for a limited time so that the young worker can earn money for needed dental work or glasses. Instructions for correction of defects should be specific so that parents and child will know what action to take. Careful followup is needed in these cases to make sure that the corrections are made.

Your Decision

Careful review of all these papers helps you decide whether the certificate should be issued for *this* minor for *this* particular job. Issuance of certificates helps both employers and young people. Without certificates, boys and girls might leave school and work for months before the enforcement officer came along and pointed out that they are too young to work. You prevent the loss of schooling which would be hard for them to make up and save them from the painful and frustrating experience of being discharged through no fault of their own. You keep inexperienced young people from jobs involving physical hazards. You save employers from unintentional violations of the child-labor laws, or from penalties when young workers are injured in illegal employment. They hire certified youth with confidence. Without certificates they might not employ youngsters at all lest they violate the regulations, and opportunities for employment would be lost. In addition, the certificates you issue help both the schools and the State labor departments in their

supervision of the boys and girls during the first few years of their working life.

If you have to refuse to issue a certificate, take time to explain fully to the applicant why you cannot do so. He is disappointed, and he and his parents may be resentful unless they understand that the prohibitions are for the child's own protection. Explain to the employer, too, so that he understands the reason for your refusal. Your explanation will help him understand the law and will improve your public relations.

The whole procedure is far from routine to the youngster. It seems like—and may really be—a matter of life and death to him. The employment certificate is his passport to the world of work.

Part II

Good Practices

STATE laws determine many of the basic procedures of employment certificate issuance. Over and above these requirements, however, some practices have been adopted because they have been found useful or necessary in order to protect the young worker and make it possible to supervise his employment during the first years of his working life.

Who Issues?

Most State laws designate the official who is to be in charge of certificate issuance. The pattern that seems to work best is the designation of the local superintendent of schools. The superintendent then often delegates this authority to the supervisor of attendance or other official concerned with the educational progress of boys and girls. The issuing officer who sees the inter-relationships of all school functions and knows the supplementary services offered by the community can make maximum use of the employment certificate system to aid young people in their transition from school to work.

A thorough knowledge of all the laws affecting working children is essential for good certificate issuance. A firsthand understanding of the kinds of jobs and places where children work helps the issuing officer do a better job for both applicants and employers. Sufficient staff time should be allowed so that a professional job can be done.

Some State laws specify that the certificate should be issued in the town where the applicant lives. Others require that it be issued in the town where the minor works. Some States have worked out cooperative agreements with neighboring States so that boys and girls who live in one State and work in another may get preliminary papers through their local superintendent who has their records. The certificates are then issued in the State in which the minors work. It would seem to be good practice in such cases for preliminary papers to be obtained in the applicant's home town and the certificate to be issued where the minor works, because child-labor laws of the State where he works are the ones that apply.

Who Applies?

The prospective young worker applies in person for the certificate and signs it in the presence of the issuing officer. Only in this way can full information be secured quickly and identity established. Some State laws require that parent or guardian accompany the child to the issuing office. Some officials request this, except when the applicant is a high school graduate, even when it is not required under the State law, because it affords an opportunity to get the parent's consent either for withdrawal from school or for work outside school hours which might interfere with school progress. Such consultation serves a dual purpose: it recognizes the parent's responsibility for the child's well-being and gives the school an opportunity to review with the parent the child's progress and the advisability of his employment.

Talking It Over.

What Happens to the Certificate?

Some State laws require that the certificate be mailed to the employer, not given to the applicant. This is good practice for several reasons: it prevents tampering with the certificate or misuse of it, guards against its loss and affords a means of getting information on changes in the law, or other material concerning young workers, to those employers who hire young people. A detachable receipt form which the employer mails back

notifies the issuing officer and the school that the applicant is actually employed.

The employer should be instructed to keep the certificates on file until the young workers leave their jobs or become over the age for which certificates are needed. One of the most acute problems in many issuing offices is the failure of employers to return certificates promptly—as soon as young workers under 18 leave. This is especially important in States that require boys and girls to be either in school or at work, or where the State law makes the employer liable for wages until certificates are returned. Every possible device must be used to impress upon employers the importance of letting school officials know whether young people are employed or idle; otherwise school authorities cannot adequately carry out their responsibilities to them. In some cases certificates carry a notation, asking employers to be prompt in returning them when young workers leave their jobs. Often, too, labor department inspectors check files during inspections and return any invalid certificates to the issuing office. Employers should be urged to check their files regularly and often. Before reissuing a certificate, the issuing officer should check his files and call the employer if he has failed to return the previous certificate. Young people should be instructed that it is their responsibility to notify their employers before they quit, and when they do leave, to remind employers to return the certificates, lest failure to do so cause delay in getting other jobs. Constant emphasis on this point by labor department and school officials is necessary—the job is never finished.

A new certificate must be issued for each new job. Otherwise there is no check on the legality of the new employment. The occupation, the applicant's physical fitness, the hours and conditions of work—and, therefore, the applicable minimum age—all may be different for the new employment.

Age Certificates

Provisions should be made for issuance on request of certificates of age to minors above the age for which employment certificates are required. These enable employers to hire with confidence such young people as are old enough to work nights, or on jobs not permitted to the younger group. The same care should be exercised in requiring proper proof of age as is required in the issuance of employment certificates.

Duplicates

Most State laws require that at regular stated intervals duplicates, or a report of certificates issued, be sent to the State department that supervises issuance. It is recommended that this be done at least once a month. Thus this agency can know what industries are employing

minors and make sure that the protections afforded under the child-labor laws are being extended to all minors employed. Also, notification should be sent to the minor's school, especially if he is given a certificate for a full time job, so that his name may be removed from the register.

Who Supervises?

To bring about uniform and effective certificate issuance, State laws usually provide for some central supervision of the program. This may be the responsibility of the State department authorized to enforce the child-labor laws, or of the State education department which supervises enforcement of the school-attendance law. Either way is effective because close cooperation between these agencies is needed in any case. Central guidance is necessary so that there will be uniform interpretation and administration throughout the State.

Supervisory duties of the State agency usually include:

Drawing up, prescribing, and furnishing standard forms and instructions, using the advice and cooperation of any other State and local departments concerned with youth employment.

Disseminating information throughout the State on the need for certificates in order to prevent illegal employment of young people, and seeing that both young people and employers know where and how certificates are secured.

Reviewing duplicate copies of all certificates issued and following up any irregularities found.

Notifying local issuing offices of pertinent changes in State and Federal laws.

Keeping current records of employment as shown by the certificates issued in order to have information about how many young people are getting jobs and where they are working in the State.

Helping to work out solutions to new problems that arise, such as adapting certificate programs to protect boys and girls who work in agriculture, or meeting situations that arise after new legislation is enacted.

Developing sound methods of certificate issuance through conferences and consultation with issuing officers.

Part III

The Larger View

YOUR opportunities to help the beginning workers who come to your office are not limited to issuance of employment certificates. Remember how excited you were over your first job? And maybe a little scared, too? How you worried for fear something might go wrong? Did anyone give you the information and the help you needed? You have the chance to give these boys and girls a good start. Your patience and interest will calm their apprehension. Each one's needs are different. When you look at them as individuals embarking on a great new adventure, you may see many ways that you could help them to be better workers and better citizens.

The impression you make on these applicants may color their feelings toward school for the rest of their lives. A perfunctory attitude in your office may confirm the dropouts' convictions that the schools aren't interested in them. Or your warm friendliness may be evidence of school and community interest that leaves the doors wide open for boys and girls to take future advantage of what the schools offer them.

It isn't only those starting on their first jobs who need help. It takes some youngsters quite a while to get adjusted to the demands of the working world. Such boys and girls are just "job tramps" or "job hoppers" to some people. The sympathetic issuing officer knows they are youngsters with problems.

You can help them all in many ways.

How Do You Help?

Ideally, work with the dissatisfied student who is the potential dropout begins long before he applies for a work permit. Some students, however, decide to quit school on an impulse and are surprised to find how easy it is. Perhaps you refer them to a counselor to talk it over. A school interview with the child or his parents sometimes leads to second thoughts and a changed decision. Some issuing officers who have uncovered financial need or an ill-advised reason for wanting to quit school for work have prevented dropouts. Your school counselors may be able to help solve many of the applicant's problems.

Give Information

Your office may provide the lead to education and guidance opportunities for out-of-school youth. You are in a position to interest school administrators in the needs of out-of-school boys and girls. Posters or leaflets can tell your young clients what the community offers them if they want to improve themselves. Many school systems operate night high schools and provide guidance services for out-of-school youth. Others provide extensive vocational courses. There are private schools that have evening courses in subjects that might interest the young applicants. Many boys and girls who do not seem able to hold a job don't know about counseling and placement services offered by your State employment office.

Waiting Time Can Be Profitable.

Labor laws applying to workers in general apply also, of course, to young workers. Although issuing officers are not expected to have expert knowledge about all these laws, it is helpful if they know where Social Security numbers are issued and the addresses of the offices from which information on the various labor laws may be obtained.

A friendly atmosphere can be sensed by youngsters as soon as they enter the door. The surroundings and atmosphere of your office indicate to your young visitors your interest in them and your desire to serve them. Some private organizations publish leaflets about school and work that you can have in your office for applicants to read in case they have to wait. A "library corner," even if it is just a table with pamphlets, is a useful

device to entice waiting applicants to learn about opportunities and services open to them.

Some issuing officers give booklets to young applicants explaining the child-labor laws, telling them about social security, workmen's compensation, and their other rights as workers, and giving them a picture of their responsibilities to their employers and to the community.

Make It Easy

A location that is convenient and easy to find is a great help to youngsters who may not know their way around. Some communities have been able to save applicants many bus fares by a shift in location of the issuing office or by giving applicants preliminary forms in their own schools. Some issuing offices keep the public employment office in town supplied with promise-of-employment forms, so that youngsters referred to jobs may take them for the employer to fill out immediately if he hires them. This also serves as a timely reminder to the employer that a certificate is needed. By the way, how many trips to your office are necessary to complete the certificating process? Delay may cost boys and girls their jobs, or tempt them to violate the law by working without certificates.

Issuing certificates is a 12-month-a-year job, too. School vacation time is work time for many boys and girls.

Teamwork Within the Schools

Sometimes you can meet an applicant's needs directly. Sometimes it takes the cooperation of others in the school system.

You may be able to work out a method of making certain that each teacher knows which of her students are working. When a teacher knows that a student is subject to the dual demands of job and school, she can better cope with classroom behavior that may trouble her. A teacher who tries to build on the experiences of her students needs to know about their work experiences because their jobs are very important to young workers. Jobs may provide a helpful stimulus to learning. Curriculum planners need your help in working out ways of integrating work experience with classroom learning.

Some issuing officers have taken the lead in getting introduced at the proper grade level a unit of study about matters that will concern students when they go to work. Such units help them understand the reasons for child-labor laws, and why, how, and where they get employment certificates. Students learn, too, how to apply for jobs and are prepared for the differences between the school world and the working world. Perhaps you could speak to these classes so that they will not only understand the requirements, but will feel less strange when they visit your office later.

Referred for Counseling.

Good working relationships between issuing officers, attendance officers, and counselors make it easier to get help for youth who need it. Counselors may be able to get student aid or public assistance in cases of financial need, arrange changes in courses, or a transfer to a work-experience program, or make other adjustments for boys and girls who are leaving school because they are dissatisfied. Counselors can learn much about what types of jobs are available for youth in the community and get much information from certificates in your files which they might otherwise be able to get only through laborious community surveys. Where there is close collaboration between issuing officer and others in the schools, certificate filing systems can be worked out that make the records of greatest usefulness to all.

Joining Forces in the Community

Many others in the community share your interest in working youth. But many probably do not realize that when certificates are obtained your office sees each of these boys and girls. Without your leadership, they may not see how you can help them and how they can help you.

Many community agencies that offer services to out-of-school youth say their major problem is to reach the young people who need their help. The public employment office system has local offices in over 1,900 communities throughout the country. Counselors are available in most

of these offices to help young people choose and get jobs. Police officers responsible for enforcement of municipal ordinances relating to employment of minors need your cooperation. You can help probation officers in their decisions on employment for their charges. Vocational rehabilitation agencies want to get their services to youth with physical handicaps. Community counseling centers want to help those dropouts who seem to be having as much trouble getting along with employers as they did with teachers. Some communities have health services or recreational or educational opportunities which they would like to extend to out-of-school boys and girls.

Service clubs are often interested in helping youth in their vocational adjustment. You are in a position to point out to these groups the unmet needs of out-of-school youth. Many a community guidance center serving out-of-school youth has resulted from the interest of such organizations. Some service clubs provide eyeglasses for students who cannot afford them. Others maintain student aid funds. Some provide books or clothing so that deserving youngsters can remain in school. One of them might finance a booklet with important information for young workers, if you provide leadership. Where free health services are lacking, you may be able to interest some private clinic in providing them. Public assistance offices may help in some cases. Churches and parent-teacher groups may also be glad to assist if they are called upon to give a specific service that is needed for youth in the community.

When you know and work with all others in the community who have an interest in youth, they help you and you can help them.

You Are a Community Resource

You can render another very practical service if you keep your program and services before the whole community. You are the source of information on regulations affecting young workers—for employers, parents, and anyone else concerned. The up-to-date information on these regulations is an important part of your equipment, and many people, especially employers, need to know that it can be readily obtained from your office. You may be able to provide employers with copies or digests of the child-labor laws.

You will be welcomed as a speaker by service clubs and other organizations with youth programs once they realize how close you are to the problems of youth in your town. You may be able to call community conferences on youth employment, with representatives of labor, industry, schools, parents, and others, to discuss questions related to youth and jobs.

Your office is also a source of information to the entire community on current youth employment. Your statistics and experience with employers and young workers help employment service counselors and interested community agencies get a picture of job opportunities, or the

lack of them, and of the job problems of local boys and girls. You may find that your newspapers will welcome occasional articles on these subjects. An interesting annual report of activities of your office that gets out into the community will stimulate interest.

A close working relationship with the State labor department, the local office of the State Employment Service, and the United States Department of Labor's nearest Wage-Hour office will make possible a free flow of information that will be of advantage to you, to these agencies, and to employers of young workers.

All Together

It takes time and effort to establish friendly collaboration between all the people in the community who are interested in young people. But it helps them and you to give better service to those boys and girls who are trying to find their places as productive members of society.

We invest large sums in fitting youth for life; then when the process is more or less completed, we sometimes expect them to shift for themselves. It takes time for boys and girls to learn how to assume their new roles as workers. In the process of induction into employment, the certificating officer can play a key part.

All in all, when you stop to look at your job, you can see how much you contribute to the conservation and improvement of the oncoming stream of young workers. As workers and citizens they are the future of America.

Part IV

Certificates and Federal Law

This section deals with the child-labor provisions of Federal laws, primarily with the Fair Labor Standards Act. When employment is covered by this Act, as well as by State or municipal law, and the standards are different, it is essential that certificates be issued in accordance with the higher standard. Only in this way can certificates serve their purpose of protecting young workers and preventing violations on the part of employers. Although the employer is responsible for complying with the law, he is likely to assume when he gets a certificate for a young worker that the employment is legally permissible.

Most employers appreciate the service issuing officers give in helping them to comply with the law. If an employer applies for a certificate for a minor whose employment would be contrary to legal standards, the issuing officer can help by taking time to explain the regulations both to the young worker and to the employer. Sometimes the employer can change the duties of the minor or the hours or conditions of his work so that his employment will be in line with legal standards.

Issuing officers will also wish to know about the child-labor provisions of the Walsh-Healey Public Contracts Act. This Act applies to manufacturers or dealers contracting to manufacture or supply for the U. S. Government materials valued in excess of $10,000. It sets a 16-year minimum age for boys and an 18-year minimum age for girls employed in any work performed under the contract.

State employment and age certificates are also accepted as proof of age under this Act and employers often apply for these to be sure that boys they employ are at least 16, and that girls are at least 18 years of age. Although usually issuing officers will not know whether an employer has a government contract, this information is given here in the event a question arises as to the minimum ages applicable under the Act.

The information which follows is designed as a general guide on employment permissible under the child-labor provisions of the Fair Labor Standards Act. It explains what employment is covered by these provisions and gives suggestions to aid the issuing officer in determining the minimum age applicable to specific kinds of jobs. For more detailed

information, see Child Labor Bulletin No. 101, A Guide to Child-Labor Provisions of the Fair Labor Standards Act, issued by the Wage and Hour and Public Contracts Divisions of the U. S. Department of Labor, and their Child Labor Bulletin No. 102 for information on the provisions relating to employment of minors in agriculture.

GUIDE FOR ISSUING EMPLOYMENT AND AGE CERTIFICATES UNDER THE CHILD-LABOR PROVISIONS OF THE FAIR LABOR STANDARDS ACT

TYPES OF EMPLOYMENT COVERED

1. Employees employed in or about establishments where goods are produced for shipment or delivery for shipment in interstate or foreign commerce.

2. Employees who themselves are employed in interstate or foreign commerce or in the production of goods for such commerce.

3. Employees employed in certain large enterprises described in the Fair Labor Standards Act which are engaged in interstate or foreign commerce or in the production of goods for such commerce.

MINIMUM AGE FOR EMPLOYMENT

1. Sixteen years in general employment.

2. Eighteen years in occupations declared hazardous by the Secretary of Labor.

3. Fourteen years in a limited number of occupations outside school hours. Such work is permitted for not more than 3 hours on a school day, and 8 hours on a nonschool day, for not more than 18 hours in a school week, and 40 hours in other weeks, and between the hours of 7 a.m. and 7 p.m.

HOW TO AVOID ISSUING CERTIFICATES FOR EMPLOYMENT CONTRARY TO THE CHILD-LABOR PROVISIONS

Note the minor's age. The age of the minor is the key to the chart (see left column).

Follow the standard of the State or municipal law *if it is higher than* that of the Fair Labor Standards Act.

Age	When to issue	Points to watch
If minor is 18 years of age or over.	You are safe in issuing an age certificate for work in any occupation at any time, under the act.	None under Federal law. Check State and municipal laws only.
If minor is 16 or 17.....	You are safe in issuing certificates under the act for minors 16 and 17 years of age *except* in occupations declared hazardous by the Secretary of Labor, for which the minimum age is 18 years. See Child-Labor Bulletin No. 101 for Hazardous Occupations Orders. These deal with: (1) Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components;	Hazardous occupations orders apply only to employment subject to the Fair Labor Standards Act. The 18-year-minimum age prescribed under this act, therefore, applies only to employment included under "Types of Employment Covered." Check State and municipal laws. For example, the child-labor provisions of the Fair Labor Standards Act are not applicable to all employment in retail trade and service establishments, but

	(2) Occupations of motor-vehicle driver and helper; (3) Coal-mine occupations; (4) Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill; (5) Occupations involved in the operation of power-driven woodworking machines; (6) Occupations involving exposure to radioactive substances and to ionizing radiations; (7) Occupations involved in the operation of elevators and other power-driven hoisting apparatus; (8) Occupations involved in the operation of power-driven metal forming, punching, and shearing machines; (9) Occupations in connection with mining, other than coal; (10) Occupations in or about slaughtering and meat-packing establishments and rendering plants; (11) Occupations involved in the operation of certain power-driven bakery machines; (12) Occupations involved in the operation of certain power-driven paper-products machines; (13) Occupations involved in the manufacture of brick, tile, and kindred products; (14) Occupations involved in the operation of circular saws, band saws, and guillotine shears; (15) Occupations involved in wrecking, demolition, and shipbreaking operations; (16) Occupations involved in roofing operations; (17) Occupations in excavation operations.	often apply to large establishments, chain stores, and those that do a large volume of business that involves interstate commerce. If the employment is not included under "Types of Employment Covered," then the hazardous occupations orders do not apply. There will be occasions when you will be unable to decide whether or not the issuance of a certificate for a particular minor to engage in a specific occupation will conform with the child-labor provisions of the act. In such a case, the employer who expects to hire the minor may be able to give you the necessary information to enable you to make a decision. If the employment is covered by the wage-and-hour provisions, it is always covered by the child-labor provisions. In some situations, such as restaurants and hotels, the child-labor provisions may apply even when the wage-hour provisions do not apply. If the employer cannot supply the information, or if it should happen that you and the employer do not agree on the legality of a particular minor's proposed employment, you may wish to refer the question to the nearest office of the Wage and Hour and Public Contracts Divisions.
If minor is 14 or 15 and to be employed outside school hours.	See p. 18 of this bulletin for hours and conditions of work.	Check State and municipal laws also.

Age	When to issue	Points to watch
In manufacturing or mining.	Issue certificates for 14- and 15-year-old minors for office or sales work or such other work as does not involve manufacturing, mining, or processing, or the performance of duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed. No certificate should be issued for employment in the operation or tending of power-driven machinery other than office machines, or in any occupation declared hazardous.	Most employment in factories and mines is covered by the child-labor provisions of the act and is subject to the 16-year minimum age, unless the employment has been declared hazardous and an 18-year minimum age thereby established.
In transportation, communications, and public utilities.	Issue certificates only for office or sales work not performed on boats, trains, or other media of transportation.	Most employment in transportation, communications, and public utilities is covered by the child-labor provisions of the act and is subject to the 16-year minimum age. Note the 18-year minimum age for occupations of driver and helper on motor vehicles. Note that actors and performers in motion picture, theatrical, radio, and televison productions are exempt from the child-labor provisions of the act.
In warehousing and storage.	Issue certificates only for office or sales work.....	Note the 18-year-minimum age for operators and helpers on motor vehicles and for occupations involving the operation of elevators and other power-driven hoisting apparatus.
In construction.....	Issue certificates only for office or sales work which does not take place at the site of the construction activities.	Employment in repair, maintenance, and improvement of instrumentalities of commerce, such as extension of highways and repair of factory buildings, is covered by the child-labor provisions of the act, as is employment in an enterprise which has an annual volume of sales of not less than $350,000.
In finance, insurance, real estate.	Issue certificates for office or sales work and cleanup work in offices and salesrooms.	Most employment in these businesses is usually covered by the child-labor provisions of this act.
In trade and service...	Issue certificates for most occupations except: (1) Those involving manufacturing or processing or those requiring the performance of any duties in workrooms or workplaces where goods are manufactured or processed. (Note that in retail, food	Employment in hotels, restaurants, drugstores, grocery stores, laundries, dry cleaning, and gasoline service stations is covered by the child-labor provisions of this act if included under "Types of Employment Covered."

	service, and gasoline service establishments, minors 14 and 15 may perform certain processing occupations and may work in rooms where processing and manufacturing are carried on. See Child-Labor Bulletin No. 101 for occupations permitted and not permitted in these industries.) (2) Those involving the operation or tending of power-driven machinery, other than office machines. (Note that in retail, food service, and gasoline service establishments, minors 14 and 15 may operate certain types of machines. See Child-Labor Bulletin No. 101 for occupations permitted and not permitted in these industries.) (3) Those declared hazardous by the Secretary of Labor.	Employment in mail-order houses and wholesale houses is usually covered by the child-labor provisions of the Fair Labor Standards Act. The exemption for employees employed in the delivery of newspapers to the consumer applies to both the wage and overtime and child-labor provisions of the act.

EMPLOYMENT IN AGRICULTURE

Age	When to issue	Points to watch
If minor is 16.....	You are safe in issuing a certificate of age for employment *at any time* permissible under your State law.	Questions on the issuance of certificates for the employment in agriculture should be referred to the State agency responsible for employment and age certificates. No minor under 16 years of age may be employed in agriculture during the hours schools are in session in the district where the minor is living while employed except in the case of employment by a parent on the home farm.
If minor is under 16.....	Issue only for employment *outside school hours* and in accordance with your State law. For employment subject to the Sugar Act, issue only for minors 14 or over. See Child-Labor Bulletins No. 101 and No. 102. These publications may be obtained from the Bureau of Labor Standards or the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor.	

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